

leader be authorized to sign any duly enrolled bill and joint resolution today, December 15.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. PRYOR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### UNANIMOUS CONSENT REQUEST— H.R. 4154

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4154 just received from the House and at the desk; that the Baucus substitute amendment be considered and agreed to; the bill, as amended, be read three times, passed, and the motion to reconsider be laid upon the table; that any statements relating to the measure be printed in the RECORD, without further intervening action or debate.

Mr. President, I understand the Republican leader will object, so I will withdraw this request.

The PRESIDING OFFICER. Without objection, the request is withdrawn.

#### MORNING BUSINESS

Mr. PRYOR. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BOEING DREAMLINER

Ms. CANTWELL. Mr. President, I know we are in the middle of a health care debate and I know we are focused on health care and we will be talking about that for several days, but I rise to congratulate the people of Washington State and the country on the 787 Dreamliner flight that took off from Paine Field, WA, just a few hours ago. Some people might think of that as just going to YouTube and looking at the video and seeing a plane take off and what is the significance. I tell you, there is great significance, not just for the State of Washington but for the country because this plane is a unique plane. It is a game changer as far as the market is concerned. But it is American innovation at its best. This plane, built now with 50 percent composite materials, is going to be a 20-percent more fuel-efficient plane. That is significant for our country. It is significant because it means the United States can still be a leader in manufac-

turing and it can still deal with something as complex as fuel efficiency in aviation.

What is prideful for us as Americans is, this is about American innovation at its best. What would Bill Boeing say about today? He would say we achieved another milestone, where we faced international competition. Yet the United States can still be a manufacturer. We can still build a product, still compete, and still win because we are innovating with aviation.

To the thousands of workers in the Boeing Company and in Puget Sound I say: Congratulations for your hard work—for the planning and implementation of taking manufacturing from aerospace with aluminum that had been the status quo for decades, to developing an entirely new plane, 50 percent with the new material.

I want the United States to continue to be a manufacturer, to still build products, to still say we can compete. So I applaud the name Dreamliner. Somebody in that company had a dream, and today it got launched when it took off from that runway. I wish to say that is the innovative spirit that has made this country great and that is the innovative spirit in which we need to invest.

#### HUMAN RIGHTS ENFORCEMENT ACT

Mr. DURBIN. Mr. President, I rise today to speak in support of the Human Rights Enforcement Act of 2009, which the U.S. Senate approved unanimously on November 21, 2009, and which the House of Representatives will consider today. This narrowly tailored, bipartisan legislation would make it easier for the Justice Department to hold accountable human rights abusers who seek safe haven in our country.

I would like to thank the lead Republican cosponsor of the Human Rights Enforcement Act, Senator TOM COBURN of Oklahoma. This bill is a product of the Judiciary Committee's Subcommittee on Human Rights and the Law. I am the Chairman of this Subcommittee and Senator COBURN is its ranking member. I also want to thank Judiciary Committee Chairman PAT LEAHY of Vermont and Senator BEN CARDIN of Maryland for cosponsoring this bill.

For decades, the United States has led the fight for human rights around the world. Over 60 years ago, following the Holocaust, we led the efforts to prosecute Nazi perpetrators at the Nuremberg trials. We have also supported the prosecution of human rights crimes before the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, and the Special Court for Sierra Leone.

The world watches our efforts to hold accountable perpetrators of mass atrocities closely. When we bring human rights violators to justice, for-

eign governments are spurred into action, victims take heart, and future perpetrators think twice. However, when human rights violators are able to live freely in our country, America's credibility as a human rights leader is undermined.

Throughout our history, America has provided sanctuary to victims of persecution. Sadly, some refugees arrive from distant shores to begin a new life, only to encounter those who tortured them or killed their loved ones.

Two years ago, the Human Rights and the Law Subcommittee heard compelling testimony from Dr. Juan Romagoza, who endured a 22-day ordeal of torture at the hands of the National Guard in El Salvador. Dr. Romagoza received asylum in our country but later learned that two generals who were responsible for his torture had also fled to the United States. We also learned that our government was investigating over 1,000 suspected human rights violators from almost 90 countries who were in the United States.

The Human Rights and the Law Subcommittee has worked to ensure our government has the necessary authority and resources to bring perpetrators to justice and to vindicate the rights of people like Dr. Romagoza.

In the last Congress, the Subcommittee on Human Rights and the Law held hearings which identified loopholes in the law that hinder effective human rights enforcement. In order to close some of these loopholes and make it easier to prosecute human rights abuses, Senator COBURN and I introduced the Genocide Accountability Act, the Child Soldiers Accountability Act and the Trafficking in Persons Accountability Act, legislation passed unanimously by Congress and signed into law by President George W. Bush that denies safe haven in the United States to perpetrators of genocide, child soldier recruitment and use, and human trafficking.

We also examined the U.S. government agencies which bear responsibility for investigating human rights abusers and how to increase the likelihood that human rights violators will be held accountable.

There are two offices in the Justice Department's Criminal Division with jurisdiction over human rights violations. The first, the Office of Special Investigations, also known as OSI, which was established by Attorney General Richard Civiletti in 1979, has led the way in investigating, denaturalizing and removing World War II-era participants in genocide and other Nazi crimes. I want to commend OSI for its outstanding work tracking down and bringing to justice Nazi war criminals who have found safe haven in our country. Since 1979, OSI has successfully prosecuted 107 Nazis.

Just this year, OSI deported John Demjanjuk to Germany, where he is on trial for his involvement in the murder of more than 29,000 people at the Sobibor extermination camp in Nazi-

occupied Poland. Demjanjuk came to the United States in 1952 and lived in Seven Hills, OH. During World War II, Demjanjuk allegedly served as a guard at a number of concentration camps. Lanny Breuer, the Assistant Attorney General of the Criminal Division, said, "The removal to Germany of John Demjanjuk is an historic moment in the federal government's efforts to bring Nazi war criminals to justice. Mr. Demjanjuk, a confirmed former Nazi death camp guard, denied to thousands the very freedoms he enjoyed for far too long in the United States."

In 2004, Judiciary Committee Chairman PAT LEAHY's Anti-Atrocity Alien Deportation Act, enacted as part of the Intelligence Reform and Terrorism Prevention Act, further strengthened the Office of Special Investigations by statutorily authorizing it and expanding its jurisdiction to include serious human rights crimes committed after World War II.

The Domestic Security Section, which was established more recently, prosecutes major human rights violators and has jurisdiction over the criminal laws relating to torture, genocide, war crimes, and the use or recruitment of child soldiers. In 2008, the Domestic Security Section and the United States Attorney's Office for the Southern District of Florida obtained the first federal conviction for a human rights offense against Chuckie Taylor, son of former Liberian president Charles Taylor, for committing torture in Liberia when he served as the head of the Anti-Terrorist Unit. Taylor and other Anti-Terrorist Unit members engaged in horrific acts of torture, including shocking victims with an electric device and burning victims with molten plastic, lit cigarettes, scalding water, candle wax and an iron. Then-Attorney General Michael Mukasey said, "Today's conviction provides a measure of justice to those who were victimized by the reprehensible acts of Charles Taylor Jr. and his associates. It sends a powerful message to human rights violators around the world that, when we can, we will hold them fully accountable for their crimes."

The Human Rights Enforcement Act would seek to build on the important work carried out by the Office of Special Investigations and the Domestic Security Section by creating a new streamlined human rights section in the Criminal Division. My bill would combine the Office of Special Investigations, which has significant experience in investigating and denaturalizing human rights abusers, with the Domestic Security Section, which has broad jurisdiction over human rights crimes. Consolidating these two sections would allow limited law enforcement resources to be used more effectively and ensure that one section in the Justice Department has the necessary expertise and jurisdiction to prosecute or denaturalize perpetrators of serious human rights crimes.

This consolidation will also enable more effective collaboration between the Department of Justice and the Department of Homeland Security's Immigration and Customs Enforcement in identifying, prosecuting, and removing human rights violators from the United States. Immigration and Customs Enforcement has been at the forefront of the federal government's efforts to bring war criminals to justice and is currently handling over 1,000 human rights removal cases involving suspects from about 95 countries.

Immigration and Customs Enforcement and the Justice Department have complementary jurisdiction over human rights violations and partner closely in their efforts to hold accountable human rights violators. In some instances, where prosecution for a substantive human rights criminal offense is not possible, Immigration and Customs Enforcement can bring immigration charges. For example, Immigration and Customs Enforcement recently filed administrative charges against the two El Salvadoran generals who are responsible for the torture of Dr. Romagoza, which took place before the enactment of legislation prohibiting torture in the United States.

With the creation of a new streamlined human rights section in the Criminal Division of the Justice Department, Immigration and Customs Enforcement will have a stronger partner in the Justice Department to collaborate with on human rights violator law enforcement issues. This bill would require the Attorney General to consult with the Secretary of Homeland Security as appropriate, which means the Attorney General shall consult with the Secretary of Homeland Security on cases that implicate the Department of Homeland Security's jurisdiction and competencies.

The consolidation of the two sections in the Criminal Division of the Justice Department with jurisdiction over human rights violations would not affect or change Immigration and Customs Enforcement's existing jurisdiction over human rights violators. Immigration and Customs Enforcement will continue to have primary authority for removing human rights violators from the United States through the immigration courts.

At a hearing of the Human Rights and the Law Subcommittee on October 6, 2009, the Justice Department and Immigration and Customs Enforcement expressed strong support for combining the Office of Special Investigations and the Domestic Security Section. However, since the Office of Special Investigations is statutorily authorized, the Justice Department needs Congressional authorization to move forward on merging these two sections.

The Human Rights Enforcement Act also includes a number of technical and conforming amendments, including: 1) technical changes to the criminal law on genocide (18 U.S.C. 1091) that the Justice Department requested in 2007

to make it easier to prosecute perpetrators of genocide; 2) clarifying that the immigration provisions of the Child Soldiers Accountability Act apply to offenses committed before the bill's enactment; 3) a conforming amendment to the Immigration and Nationality Act required by the enactment of the Genocide Accountability Act; and 4) a conforming amendment to the material support statute, made necessary by the enactment of the Genocide Accountability Act and the Child Soldiers Accountability Act, making it illegal to provide material support to genocide and the use or recruitment of child soldiers. These technical changes will facilitate the government's ability to prosecute perpetrators who commit genocide or use child soldiers.

Dr. Juan Romagoza survived horrible human rights abuses, and had the courage to flee his home and find sanctuary in the United States, where he became an American and made great contributions to our country. We owe it to Dr. Romagoza, and countless others like him, to ensure that America does not provide safe haven to those who violate fundamental human rights. From John Demjanjuk, who helped massacre over 29,000 Jews during World War II, to the Salvadoran generals responsible for torturing Dr. Juan Romagoza, we have a responsibility to bring human rights violators to justice.

I thank my colleagues for supporting this legislation and hope it will be enacted into law soon.

#### PENDING NOMINATIONS

Mr. LEAHY. Mr. President, two weeks ago, I challenged Senate Republicans to do as well as Senate Democrats did in December 2001 when we proceeded to confirm 10 of President Bush's nominees as Federal judges. Regrettably, my plea has been ignored. Senate Republicans are failing the challenge. The Senate has been allowed to confirm only one judicial nominee all month. On December 1, after almost 6 weeks of unexplained delays, the Senate was allowed to consider the nomination of Judge Jacqueline Nguyen to fill a vacancy on the Federal Court for the Central District of California. When finally considered, she was confirmed unanimously by a vote of 97 to 0. Since then, not a single judicial nominee has been considered. It is now 2 weeks later, December 15.

Judicial nominees have been and are available for consideration. This lack of action is no fault of the President. He has made quality nominations. They have had hearings and have been considered by the Senate Judiciary Committee and favorably reported to the Senate. Indeed, the logjam has only grown over the last 2 weeks. Five additional judicial nominations have been added to the Senate calendar since December 1, bringing the total number of judicial nominations ready for Senate action, yet delayed by Republican obstruction, to 12. One has been ready for